

O-04-10

**AN ORDINANCE AUTHORIZING THE SALE OF
CERTAIN PUBLIC LANDS**

WHEREAS, the Borough of Wharton in the County of Morris, a Municipal Corporation of the State of New Jersey, is the owner of a parcel of real property designated as Tax Lot 22 in Block 301 as shown on the Tax Maps of the Borough of Wharton;

WHEREAS, said parcel is vacant and is not needed for public use by the Borough;
and

WHEREAS, the County of Morris, a body politic of the State of the New Jersey has agreed to extend North Main Street to relieve existing traffic congestion at the intersection of North Main Street and East Dewey Avenue and requires the dedication of a small portion of said Borough property for the extension of the street and a temporary construction easement to be used during the construction of said street; and

WHEREAS, N.J.S.A. 40A:12-13.4 authorizes the sale of municipal property to a county for public purposes for minimal consideration and providing that the property shall be used only for the public purposes of the county, and that if such property is not used for such purposes, title thereto shall revert to the municipality without any entry or re-entry made thereon on behalf of the municipality.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Wharton in the County of Morris and State of New Jersey that the Mayor and Borough Clerk be and they are hereby directed, authorized and empowered to make, execute, acknowledge and deliver such documents, instruments and papers and perform such acts as may be legally, properly and reasonably required or necessary for the purpose of dedicating a portion of premises known as Lot 22, Block 301, in the Borough of Wharton, in the County of Morris and State of New Jersey, for a consideration of \$1.00 to the COUNTY OF MORRIS, a body politic of the State of New Jersey, and to deliver a Deed and Corporate Affidavit of Title, and to deliver a Temporary Construction Easement to the County of Morris for the purpose of constructing said street.

First Reading: March 8, 2010
Second Reading: March 22, 2010

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk